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09/965,984	09/28/2001	E-Lee Chang	BELL-0128/01181	5167

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EXAMINER

WOO, STELLA L

ART UNIT

PAPER NUMBER

2643

DATE MAILED: 02/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
09/965,984

Applicant(s)  
Chang et al.

Examiner  
Stella Woo

Art Unit  
2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on Jan 15, 2002 is/are a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some\* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 2 6) ☐ Other:

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

2. Claims 19 and 21 are rejected under 35 U.S.C. 102(e) as being anticipated by McCurdy (US 6,340,928 B1).

McCurdy discloses a system for providing emergency notification, the system comprising:

a GPS signal receiver (GSP 30; col. 2, lines 36-42);

a signal transmitter (microcontroller 16 and communication interface 20 with antenna 22; col. 2, line 66 - col. 3, line 4);

a notification triggering means (vehicle crash sensing system 40; col. 2, lines 5-19; col. 2, line 56 - col. 3, line 7).

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*Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over McCurdy in view of Grimes.

McCurdy differs from claim 20 in that it does provide for the triggering event as being a button activation. However, Grimes teaches the well known placement of an emergency call from a cellular device by pushing an activation button (police button 305 or medical button 306; Fig. 3; col. 7, lines 3-8) such that it would have been obvious to an artisan of ordinary skill to incorporate such use of an activation button, as taught by Grimes, within the system of McCurdy in order to allow for manually trigger the emergency notification process.

5. Claims 1-6, 13-16, 18, 22-23, 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pons et al. (US 5,805,670, hereinafter "Pons") in view of Grimes (US 5,388,147).

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Pons discloses a method for providing distributed notification (via a private notification system; Abstract), the method comprising:

receiving a location signal (an emergency caller's address is received; col. 5, lines 6-11; col. 5, line 62 - col. 6, line 18);

storing a contact profile (notification database stores a predetermined list of people, e.g. close family and friends, to whom a notification message is sent in the event of a 911 call from the subscriber; col. 4, lines 15-35); and

providing to each a respective notification message (command control center 110 notifies each person on the contact list of the emergency, including the caller's name, address, medical history, as well as ongoing incident details, such as the destination medical treatment facility to which the 911 caller is being transported; col. 1, lines 5-8, 45-62; col. 2, lines 47-53; col. 4, lines 26-35; col. 8, lines 32-35; col. 9, lines 19-64; col. 11, lines 14-16).

Pons differs from claims 1-6, 13-16, 18, 22-23, 25 in that the location signal is received from an ANI/ALI database, not from the subscriber's device. However, Grimes teaches the desirability of receiving location information from a calling device when the emergency call is placed by a cellular telephone (Abstract; col. 2, lines 6-43) such that it would have been obvious to an artisan of ordinary skill to incorporate the reception of location information from the calling device itself, as taught by Grimes, within the method of Pons in order to determine the location of an emergency caller using a wireless device.

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Regarding claim 2, in Pons, a notification message that includes the caller's name and address is provided to a public safety answering point (PSAP 101) (col. 4, line 59 - col. 6, line 18) and a public emergency care personnel unit 121 (col. 10, lines 37-55).

Regarding claims 3-6, in Grimes, the location signal includes geo-coordinates obtained from a GPS device (col. 2, lines 35-43).

Regarding claims 13-14, Pons identifies the subscriber via ANI which is used to retrieve the subscriber's contact profile (col. 8, lines 10-35).

Regarding claim 15, in Pons, the notification messages are sent in response to the occurrence of a 911 call (col. 4, lines 46-52).

Regarding claim 16, in Grimes, an emergency call can be placed by pushing an activation button (police button 305 or medical button 306; Fig. 3; col. 7, lines 3-8).

Regarding claim 18, in Pons, ongoing incident details are provided, including the destination medical treatment facility to which the 911 caller is being transported (col. 1, lines 45-48, 58-62; col. 11, lines 14-16).

6. Claims 7-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Pons and Grimes, as applied to claim 1 above, and further in view of Markowitz et al. (US 6,295,346 B1, hereinafter "Markowitz").

The combination of Pons and Grimes differs from claims 7-9 in that it does not specify providing a text notification message. However, Markowitz teaches the desirability of

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communicating an emergency notification message to a predefined set of parties in the form of an e-mail message in lieu of a voice message (col. 7, lines 34-45, 51-53) such that it would have been obvious to an artisan of ordinary skill to incorporate such use of e-mail, as taught by Markowitz, within the combination of Pons and Grimes in order to allow for the option of e-mail notification.

Regarding claims 8-9, Markowitz provides for using a template (col. 7, lines 45-50).

The combination of Pons and Grimes differs from claims 10-12 in that it does not explicitly provide for voice notification. However, Markowitz teaches the desirability of communicating an emergency notification message by synthesized voice (col. 4, lines 6-45) such that it would have been obvious to an artisan of ordinary skill to incorporate such use of a synthesized voice message, as taught by Grimes, within the combination of Pons and Grimes when notifying each contact over the telephone system.

Regarding claims 11-12, Markowitz uses a voice template to form a notification message (col. 4, lines 10-45).

7. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Pons and Grimes, as applied to claims 1 and 15, and further in view of McCurdy.

The combination of Pons and Grimes differs from claim 17 in that although Grimes teaches the emergency calling device being located in a vehicle (col. 2, lines 43-55), it does not specify the detection of an automobile collision. However, McCurdy teaches the well known use

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of collision detection (vehicle crash sensing system 40) as a triggering event to automatically placing an emergency call (Abstract) such that it would have been obvious to an artisan of ordinary skill to incorporate such collision detection, as taught by McCurdy within the combination of Pons and Grimes in order to automatically report an emergency from a vehicle in response to a collision.

8. Claims 24 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Pons and Grimes, as applied to claim 22 above, and further in view of Tsumpes (US 6,442,241 B1).

The combination of Pons and Grimes differs from claims 24 and 26 in that it does not specify the contact profile as including a contact type associated with each contact or contact via Internet connection. However, Tsumpes teaches the desirability of communicating an emergency notification message to a list of contacts in a variety of ways, such as voice, pager, voice mail, fax and e-mail (which takes place over the Internet), with the subscriber account record indicating the formats in which a message is to be communicated for each contact (Abstract; Fig. 4; col. 6, lines 10-23) such that it would have been obvious to an artisan of ordinary skill to incorporate such use of a variety of message format, as taught by Tsumpes, within the combination of Pons and Grimes in order to provide options as to how each contact is to be notified.



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***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Orwick et al. and Carrier et al. show other emergency notification systems which notify a plurality of contact parties. Flick shows a vehicle monitoring system in which alert message are transmitted in voice, e-mail, fax, pager, etc. via a telephone interface or Internet interface. Lepkofker and Hoffman et al. show receiving a location signal in response to button activation.

10. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
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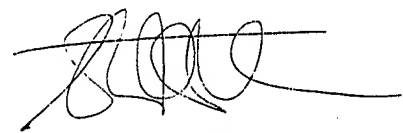
**or faxed to:**

(703) 872-9314.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stella Woo whose telephone number is (703) 305-4395. Any general inquiries should be directed to the Customer Service Office at (703) 306-0377.

February 6, 2003

  
**STELLA WOO**  
**PRIMARY EXAMINER**